

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

THE ESTATE OF EVA BOLES

PLAINTIFF

V.

CIVIL ACTION NO.: 4:07-CV-99-SA-DAS

NATIONAL HERITAGE REALTY, INC., et al.

DEFENDANTS

ORDER

Pursuant to an opinion issued this day, it is hereby **ORDERED** that:

1. The Defendants' motion to dismiss [6] is **DENIED**.
2. The Defendants' motion to supplement their motion to dismiss [23] is **DENIED AS MOOT**.

SO ORDERED on this the 11th day of March, 2009.

/s/ Sharion Aycock
UNITED STATES DISTRICT JUDGE